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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) & 1.97(c))			Docket No. ECC-5774
In Re Application Of: Roteliuk, et al.			
Serial No. 10/728,705	Filing Date 12/05/2003	Examiner Unknown	Group Art Unit 3764
Title: PRESSURE-BASED SYSTEM AND METHOD FOR DETERMINING CARDIAC STROKE VOLUME			
<p>Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>37 CFR 1.97(b)</p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p>37 CFR 1.97(c)</p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p>OR</p> <p><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>			

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Examiner

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Group Art Unit

3764

PRESSURE-BASED SYSTEM AND METHOD FOR DETERMINING CARDIAC STROKE VOLUME**Payment of Fee**

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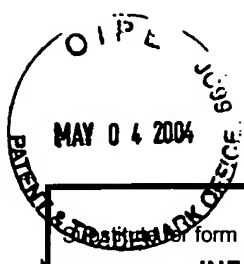
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Information Disclosure Statement form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/728,705
				Filing Date	December 5, 2003
				First Named Inventor	Roteliuk
				Art Unit	3764
				Examiner Name	Unknown
				Attorney Docket Number	ECC-5774
Sheet	1	of	5		

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number – Kind Code ² (If known)		
	AA	US-4,429,701	2/7/1984	Goor, et al.
	AB	US-4,595,015	6/17/1986	Jansen, et al.
	AC	US-4,798,211	1/17/1989	Goor, et al.
	AD	US-5,101,828	4/7/1992	Welkowitz, et al.
	AE	US-5,183,051	2/2/1993	Kraidin, et al.
	AF	US-5,211,177	5/18/1993	Chesney, et al.
	AG	US-5,241,966	9/7/1993	Finkelstein, et al.
	AH	US-5,265,011	11/23/1993	O'Rourke
	AI	US-5,265,615	11/30/1993	Frank, et al.
	AJ	US-5,316,004	5/31/1994	Chesney, et al.
	AK	US-5,400,793	3/28/1995	Wesseling
	AL	US-5,423,323	6/13/1995	Orth
	AM	US-5,526,817	6/18/1996	Pfeiffer, et al.
	AN	US-5,533,511	7/9/1996	Kaspari, et al.
	AO	US-5,535,753	7/16/1996	Petrucelli, et al.
	AP	US-5,634,467	6/3/1997	Nevo
	AQ	US-5,647,369	7/15/1997	Petrucelli, et al.
	AR	US-5,730,138	3/24/1998	Wang
	AS	US-5,746,698	5/5/1998	Bos, et al.
	AT	US-5,797,395	8/25/1998	Martin
	AU	US-5,830,131	11/3/1998	Caro, et al.
	AV	US-5,865,758	2/2/1999	Louzanine
	AW	US-5,876,347	3/2/1999	Chesney, et al.
	AX	US-5,913,826	6/22/1999	Blank
	AY	US-6,004,274	12/21/1999	Nolan, et al.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard St. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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-		Number – Kind Code ² (If known)		
	AZ	US-6,010,457	1/4/2000	O'Rourke
	BA	US-6,017,313	1/25/2000	Bratteli, et al.
	BB	US-6,048,318	4/11/2000	Chesney, et al.
	BC	US-6,071,244	6/6/2000	Band, et al.
	BD	US-6,090,047	7/18/2000	Kass, et al.
	BE	US-6,117,087	9/12/2000	Kamm, et al.
	BF	US-6,165,130	12/26/2000	Chio
	BG	US-6,224,585 B1	5/1/2001	Pfeiffer
	BH	US-6,228,033 B1	5/8/2001	Kööbi, et al.
	BI	US-6,231,498 B1	5/15/2001	Pfeiffer, et al.
	BJ	US-6,270,461 B1	8/7/2001	Chio
	BK	US-6,290,651 B1	9/18/2001	Chesney, et al.
	BL	US-6,315,735 B1	11/13/2001	Joeken, et al.
	BM	US-6,348,038 B1	2/19/2002	Band, et al.
	BN	US-6,394,958 B1	5/28/2002	Bratteli, et al.

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	T ⁶
		Office Code ³	Number ⁴	Kind Code ⁵ (If known)		
	BO		EPO 393 228 A1		10/24/1990	√
	BP		EPO 420 085 A2		4/3/1991	German? Abstract
	BQ		EPO 448 979 A1		10/2/1991	√
	BR		EPO 564 492 B1		10/13/1993	√
	BS		EPO 569 506 B1		11/18/1993	√

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	BT		EPO 642 760 A1		3/15/1995	√
	BU		EPO 947 160 A1		10/6/1999	√
	BV		EPO 947 941 A2		10/6/1999	√
	BW		WO 90/03145		4/5/1990	√
	BX		WO 90/11042		10/4/1990	√
	BY		WO 92/06633		4/30/1992	√
	BZ		WO 92/11804		7/23/1992	√
	CA		WO 92/12669		8/6/1992	√
	CB		WO 94/14372		7/7/1994	√
	CC		WO 94/22363		10/13/1994	Japanese Abstract
	CD		WO 95/16391		6/22/1995	√
	CE		WO 97/24982		7/17/1997	√
	CF		WO 98/19594		5/14/1998	√
	CG		WO 99/02086		1/21/1999	√
	CH		WO 00/64339		11/2/2000	√

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), volume-issue number(s), page(s), date, publisher, city and/or country where published.	T ⁶
	CI	Antonutto, G.; Girardos, M.; Tuniz, D.; di Prampero, P.E.; "Noninvasive assessment of cardiac output from arterial pressure profiles during exercise"; European Journal of Applied Physiology, 72 (1995), 18-24	√
	CJ	Fagard, R. and Conway, 3 (1990); "Measurement of cardiac output: Fick principle using catheterization"; Eur. Heart J. 11, Suppl. I, pp. 1-5	√
	CK	Ganz, W. and Swan, H.J.C. (1972); "Measurement of blood flow by thermodilution"; Am. J. Cardiol. 29, pp. 241-246	√

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard St. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), volume-issue number(s), page(s), date, publisher, city and/or country where published.	T ⁶
	CL	Goedje, O.; Hoeke, K.; Lichtwark-Aschoff, M.; Faltchauser, A.; Lamm, P.; Reichart, B.; "Continuous cardiac output by femoral arterial thermodilution calibrated pulse contour analysis: Comparison with pulmonary arterial thermodilution"; Critical Care Medicine, 27 (1999), 2407-2412	√
	CM	Gratz, I.; Kraidin, J.; Jacobi, A.G.; deCastro, N.G.; Spagna, P.; Larijani, G.E.; "Continuous noninvasive cardiac output as estimated from the pulse contour curve"; Journal of Clinical Monitoring, 8 (1992), 20-27	√
	CN	Harms, M.P.M.; Wesseling, K.H.; Pott, F., et al. (1999); "Continuous stroke volume monitoring by modelling flow from non invasive measurement of arterial pressure in humans under orthostatic stress"; Clin. Sci. 97, pp. 291-301	√
	CO	Houtman, S.; Oeseburg, B. and Hopman, M.T.E. (1999); "Non invasive cardiac output assessment during moderate exercise: pulse contour compared with CO2 rebreathing"; Clin. Physiol. 19, pp. 230-237	√
	CP	Irlbeck, M.; Forst, H.; Briegel, J.; Haller, M.; Peter, K.; "Die kontinuierliche Messung des Herzzeitvolumens mit der Pulskonturanalyse; Der Anaesthetist"; 44 (1995), 493-500	German? Abstract
	CQ	Jansen, J.R.; Wesseling, K.H.; Settels, J.J.; Schreuder, J.J.; "Continuous cardiac output monitoring by pulse contour during cardiac surgery"; European Heart Journal, 11 (1990), 26-32	√
	CR	Jansen, J.R.C.; Schreuder, J.J.; Mulier, J.P.; Smith, N.T.; Settels, J.J. and Wesseling, K.H.; "A comparison of cardiac output derived from the arterial pressure wave against thermodilution in cardiac surgery patients"; British Journal of Anaesthesia, 87 (2) (2001), 212-22	√
	CS	Jellema, W.T.; Wesseling, K.H.; Groeneveld, A.B.J.; Stoutenbeek, C.P.; Thijis, L.G. and van Lieshout, J.J. (1999); "Continuous cardiac output in septic shock by simulating a model of the thermodilution"; Anesthesiology 90, pp. 1317-1328	√
	CT	Jellema, W.T.; Imholz, B.P.M.; van Goudoever, J.; Wesseling, K.H. and van Lieshout, J.J. (1996); "Finger arterial versus intrabrachial pressure and continuous cardiac output during head up tilt testing in healthy subjects"; Clin. Sci. 91, pp. 193-200	√
	CU	Langewouters, G.J.; Wesseling, K.H. and Goedhard, W.J.A. (1984); "The static elastic properties of 45 human thoracic and 20 abdominal aortas in vitro and the parameters of a new model"; J. Biomech. 17, pp. 425-435	√
	CV	McKay, W.P.; Gregson, P.H.; McKay, B.W.; Militzer, J.; "Sternal acceleration ballistocardiography and arterial pressure wave analysis to determine stroke volume"; Clinical and Investigative Medicine, 22 (1999), 4-14	√
	CW	Martin, J.F.; Volfson, L.B.; Kirzon-Zolin, V.V.; Schukin, V.G.; "Application of pattern recognition and image classification techniques to determine continuous cardiac output from the arterial pressure waveform"; IEEE Transactions on Biomedical Electronics, 41 (1994), 913-920	√

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	CX	Romano, Salvatore M.; Pistolesi, Massimo; "Assessment of cardiac output from systemic arterial pressure in humans"; Crit Care Med 2002 Vol. 30, No. 8, pp. 1834-1841	√
	CY	Sprangers, R.L.; Wesseling, K.H.; Imholz, A.L.; Imholz, B.P. and Wieling, W. (1991); "Initial blood pressure fall on stand up and exercise explained by changes in total peripheral resistance"; J. Appl. Physiol. 70, pp. 523-530	√
	CZ	Stok, W.J.; Baisch, F.; Hillebrecht, A.; Schulz, H. and Karemaker, J.M. (1993); "Noninvasive cardiac output measurement by arterial pulse analysis compared to inert gas rebreathing"; J. Appl. Physiol. 74, pp. 2687-2693	√
	DA	Stok, W.J.; Stringer, R.C.O. and Karemaker, J.M. (1999); "Noninvasive cardiac output measurement in orthostasis: pulse contour analysis compared with acetylene rebreathing"; J. Appl. Physiol. 87, pp. 2266-2273	√
	DB	Wesseling, K.H.; De Wit, B.; Weber, J.A.P. and Smith, N.T. (1983); "A simple device for the continuous measurement of cardiac output. Its model basis and experimental verification"; Adv. Cardiol. Phys. 5, Suppl. II, pp. 16-52	√
	DC	Wesseling, K.H.; Jansen, J.R.C.; Settels, J.J. and Schreuder, J.J. (1993); "Computation of aortic flow from pressure in humans using a nonlinear, three element model"; J. Appl. Physiol. 74, pp. 2566-2573	√

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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